

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :
 :
 v. : **CRIMINAL NO. 22-013-WB**
 :
 OMAR WHITE OLIVER :

UNITED STATES' RESPONSE TO MOTION TO MODIFY SUPERVISED RELEASE

COMES NOW, the United States of America, by its counsel, Jacqueline C. Romero, United States Attorney for the Eastern District of Pennsylvania, and Mary E. Crawley, Assistant United States Attorney, and respectfully responds to the defense motion to modify the home detention term of his supervised release. The motion asks this Court to permit the defendant to travel from his residence in Florida to Philadelphia no more than once a month for work, upon prior notice to his supervising probation officer of (1) the dates of his proposed travel; and (2) where he would be staying in the Philadelphia area, and upon prior permission of that officer.

At sentencing on November 15, 2023, the defense sought a significant variance downward from the otherwise applicable advisory sentencing guideline range of 30 to 37 months in prison, arguing that Mr. Oliver was remorseful, had rehabilitated himself, and was carrying extensive family responsibilities. Specifically, the defense argued that Mr. Oliver was an active and involved father to four small children, two of whom were twins approximately one year old, and that the burden of taking care of these children would fall on his wife were he to be incarcerated, as the couple had no family support in Florida.

This Court granted the defendant a significant variance downward from the advisory guideline range of 30 to 37 months in prison, imposing a sentencing of six months in prison followed by five years supervised release with the first 24 months to be served on home detention, largely for the reasons advanced by the defense.

The defendant self-surrendered to the designated institution on or about January 15, 2024. He now seeks revision of this Court's home detention term, in effect for the first 24 months of his supervised release, so that he may travel to Philadelphia no more than once a month for work purposes. He asks this Court's permission to work for (a) his wife's business, Heart to Heart Home Care Agency, and (b) Oliver Twist Real Estate, LLC, the company through which he committed the bank fraud that led to this case. PSR ¶¶ 16-23.

As the supervising probation officer does not object and the defendant has, to government counsel's knowledge, complied with the terms of his supervision to date, the United States takes no position on the motion. However, given the reasons for the variance sentence, government counsel respectfully suggests that, should the Court grant the motion, its Order include the requirement that during the remainder of the 24-month home detention term, the defendant's monthly work trips to Philadelphia be permitted to last no longer than one week per trip.

JACQUELNE C. ROMERO
United States Attorney

s/Mary E. Crawley
MARY E. CRAWLEY
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of the Government's Response to Motion for Modification of a Special Condition of Supervised Release to Continue Filing Deadlines on this date, by e-filing, to the following:

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Assistant United States Attorney

DATE: September 5, 2024.